



Order Filed on October 15, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Harold Kaplan (HK0226)

In Re:

Alexander J. Brooks,

Debtor,

Renee L. Stone,

Joint Debtor.

Case No.: 19-23466-ABA

Chapter: 13


Hearing Date: August 25, 2020

Judge: Andrew B. Altenburg
Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: October 15, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Secured Creditor: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE
TRUSTEE FOR AMERICAN HOME MORTGAGE INVESTMENT TRUST 2005-3

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Seymour Wasserstrum

Property Involved ("Collateral"): 1513 Venus Drive, Vineland, N.J. 08360.

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 02 months from 08/01/2020 through 09/01/2020.
- The Debtor is overdue for 02 payments from 08/01/2020 through 09/01/2020 at \$818.66 per month.

Funds Held In Suspense \$33.74.

Total Arrearages Due \$1,603.58.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on 10/01/2020, regular monthly mortgage payments shall continue to be made in the amount of \$842.28.
- Beginning on 10/15/2020, monthly cure payments shall be made in the amount of \$267.27 for 05 months. A 6th and final payment shall be made in the amount of \$267.23 on or before 03/15/2021.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

■ Monthly cure payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court may enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.

5. Award of Attorneys' Fees:

- ☒ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.


The fees and costs are payable:

- ☒ Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.


Cory F. Weber, Esquire.
Attorney for Debtor(s)
Date: 10-14-2020

/s/ Harold N. Kaplan
Harold N. Kaplan, Esquire
Attorney for Secured Creditor
Date: 10/14/2020

In re:
Alexander J Brooks
Renee L Stone
Debtor(s)

Case No. 19-23466-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Oct 15, 2020

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 17, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Alexander J Brooks, Renee L Stone, 1513 Venus Drive, Vineland, NJ 08360-2648

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
jdb	*+	Renee L Stone, 1513 Venus Drive, Vineland, NJ 08360-2648

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 17, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 15, 2020 at the address(es) listed below:

Name	Email Address
Harold N. Kaplan	on behalf of Creditor Deutsche Bank National Trust Company hkaplan@rasnj.com, informationathnk@aol.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
John R. Morton, Jr.	on behalf of Creditor Americredit Financial Services Inc., d/b/a GM Financial ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Rebecca Ann Solarz	on behalf of Creditor Specialized Loan Servicing LLC rsolarz@kmlawgroup.com

District/off: 0312-1

User: admin

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Date Rcvd: Oct 15, 2020

Form ID: pdf903

Total Noticed: 1

Seymour Wasserstrum

on behalf of Joint Debtor Renee L Stone mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com

Seymour Wasserstrum

on behalf of Debtor Alexander J Brooks mylawyer7@aol.com ecf@seymourlaw.net;r47769@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7